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April 25, 2024

Hon. Andrew L. Carter, Jr.  
United States District Judge  
Southern District of New York  
United States District Court  
40 Foley Square  
New York, NY 10007

Filed on ECF

Re: United States v. Marvin Minott; 21 Cr. 702 (ALC); Request to Adjourn Sentencing Date

Dear Judge Carter:

We represent the defendant Marvin Minott pursuant to the Criminal Justice Act. Mr. Minott is currently scheduled to be sentenced by the Court on May 9, 2024. We write to respectfully request that the Court adjourn the sentencing hearing for approximately two months until on or about the week of July 8th. This is our first request for an adjournment. We make this request for several reasons, including that we do not yet have a final PSR in this case. As Your Honor may recall, Probation and counsel were not allowed to enter the MDC to hold the presentence interview on the date we had scheduled, and the draft presentence report was delayed as a result. The parties only received the draft PSR late in the day last Friday. Such an adjournment will give us time to review the draft report with our client and provide any objections to Probation, and thereafter review the final PSR before filing our sentencing submission. It will also allow us to gather any letters from Mr. Minott's family and to devote an appropriate amount of time and effort in drafting our sentencing submission, which is particularly important here since Mr. Minott pleaded guilty pursuant to a *Pimentel* letter and we vehemently dispute the Government's proffered guidelines range.

We have consulted with the Government, and they have no objection to an adjournment of "a few weeks" but they "may be largely unavailable in mid-July on another case." However, undersigned counsel currently has a number of sentencings scheduled and substantive motion responses in other cases due in the month of May, and co-counsel David S. Greenfield has a trial in this District scheduled to begin on June 10th that is expected to last at least two weeks, maybe

longer. For these reasons, we are asking for a sentencing date the week of July 8th, which is after co-counsel's trial and should allow us ample time to prepare for sentencing while avoiding the middle of July which the Government has indicated does not suit them.

Respectfully submitted,

*Sarah M. Sacks*

The application is **GRANTED**. The sentencing is adjourned to July 11, 2024 at 12:00 p.m.

So Ordered.

*Andrea J. Carter*   
 5/2/24